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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA

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10 East Valley Professional Center Association, }  
11 Plaintiff, } No. CV-12-02463-PHX-PGR  
12 vs. } (Mar.Cty.Sup.Ct. CV2012-015296)  
13 Hartford Casualty Insurance Company, et al., }  
14 Defendants. } ORDER OF REMAND  
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17 The defendants removed this action solely on the basis of diversity of  
18 citizenship jurisdiction. Among the motions pending before the Court is Plaintiff's  
19 Motion to Remand, filed December 5, 2012, wherein the plaintiff seeks the  
20 remand of this action in part due to a lack of diversity jurisdiction. On December  
21 6, 2012, in response to the plaintiff's statement in its motion that the amount in  
22 controversy does not exceed \$75,000, exclusive of interest and costs, the  
23 defendants filed a Notice of Withdrawal of Defendants' Notice of Removal. Since  
24 there is no procedural device under federal law as a notice of the withdrawal of a  
25 notice of removal, the Court will construe the defendants' notice as their non-  
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1 opposition to the motion to remand. Therefore,

2 IT IS ORDERED that Plaintiff's Motion to Remand (Doc. 13) is granted and  
3 that this action is remanded to the Maricopa County Superior Court for lack of  
4 subject matter jurisdiction.

5 DATED this 18<sup>th</sup> day of December, 2012.

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Paul G. Rosenblatt  
United States District Judge